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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,485	12/20/2000	Richard G. Morton	2000-00871-1	9464
7590 07/08/2004			EXAMINER	
ALBERT P. CEFALO AND WILLIAM CRAY CYMER, INC. LEGAL DEPT. MS/4-2C 17075 THORN MINT COURT SAN DIEGO, CA 92127			MONBLEAU, DAVIENNE N	
			ART UNIT	PAPER NUMBER
			2878	

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliance With 37 CFR 1.192(c)	Application N . 09/742,485	Applicant(s) MORTON, RICHARD G.	
	Examiner Davienne Monbleau	Art Unit 2878	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 21 June 2004 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☒ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☒ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet


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Continuation of 9. Other (including any explanation in support of the above items):

Regarding Item 4:

The amended concise explanation does not refer to the specification by page and line number and to the drawing, if any, by reference characters.

Regarding Item 5:

Issues 1 and 2 are correct. However, sub-issues a-d (for both Issues 1 and 2) are essentially arguments that are incorporated within the main issues, which would be discussed in the Argument Section. Therefore, these sub-issues should be removed.

Regarding the Argument section:

This section presents arguments under a separate heading for each issue on appeal. It should not contain additional sections. Therefore, the "Facts" and "Applicable Law" sections should be removed.

Regarding the copy of the appealed claims:

immediately preceding Claim 18, the phrase "Please add the following new claims:" should be deleted since the claims have already been added.